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June 28, 2021

VIA ECF

Hon. Magistrate Judge James L. Cott
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: *JPMorgan Chase U.S. Severance Pay Plan Administrator v. Vicari*
Case No.: 21-cv-04641**

Dear Judge Cott:

This firm represents Plaintiff JPMorgan Chase U.S. Severance Pay Plan Administrator (“Plaintiff”) in connection with the above-referenced matter. We write to request permission to file two documents under seal pursuant to FRCP 5.2(d), Local ECF Rule 6.1, and Your Honor’s Individual Rule II.G.2. Specifically, Plaintiff seeks to file under seal two exhibits to the Complaint which contain confidential and sensitive business information pertaining to the JPMorgan Chase U.S. Severance Pay Plan (the “Plan”). The exhibits include (1) Summary Plan Description for the Plan; and (2) a letter from JPMorgan Chase & Co. (“JPMC”) to Defendant dated August 2, 2018, detailing the severance benefits for which Defendant was eligible. These documents contain critically sensitive competitive business information regarding the amount of severance pay to which employees are entitled, and the requirements for them to qualify for such pay. JPMC keeps this information closely guarded. As stated in JPMC’s Code of Conduct, any information acquired by virtue of employment with JPMC, other than information made readily available to the public, is deemed “confidential information” and may not be disclosed absent a legitimate business need and, if being shared outside of the company, an executed confidentiality agreement. *See* Attachment 1, §1.4. JPMC’s business interest in maintaining the confidentiality of its closely-guarded competitive business information contained in the exhibits outweighs the negligible public interest in accessing JPMC’s private severance documents. Accordingly, JPMC respectfully requests permission to file such exhibits under seal.

Thank you very much for your consideration.

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Sincerely,

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Daniel M. Bernstein

cc: Michael Stanley, Esq. (MStanley@stanleylaw.com)

This request is denied without prejudice. The Court respectfully directs Plaintiff to 4.B of the Court's Individual Rules and Practices in Civil Cases for the correct procedure for requesting Court approval to file a document under seal.

SO ORDERED.

Date: July 8, 2021

New York, New York



JOHN P. CRONAN

United States District Judge